

**United States District Court  
District of New Hampshire**

NOTE: The summary below is not comprehensive and is only intended to highlight the Local Rule changes effective December 1, 2009. Counsel and pro se litigants should not rely on the contents of this document and are responsible to consult the Local Rules and the Federal Rules of Civil and Criminal Procedure. **Please note that filing deadline changes resulting from the time-computation amendments to the federal rules are not contained in this document; for those changes, please consult the informational sheet entitled “Federal and Local Rule Time-Computation Amendments.”** Additionally, this list does not contain some minor non-substantive/stylistic changes to the local rules.

<b>SUMMARY OF LOCAL RULE CHANGES - DEC. 1, 2009</b>	
<b>CIVIL</b>	
<b>RULE</b>	<b>CHANGE</b>
1.1, General	*Changed “amended” date to December 1, 2009.
4.3(d)(1)(A) & (B), Pro Se Filings	Amended to make clear that cases removed by a pro se defendant shall be subject to preliminary review by the Magistrate Judge.
4.3(e), Pro Se Filings	Amended to prohibit filings by represented parties unless the litigant has obtained leave of court or the filing relates to the status of counsel.
7.5, Disclosure Statement	Amended to make disclosure statement requirement applicable to limited liability company.
9.4, ERISA Cases	Amended to permit parties to move for discovery on issues of bias or conflict of interest prior to a ruling on motions for judgment on the administrative record.
67.3, Withdrawal of Deposit in Interest- Bearing Account	Amended to provide that no funds may be distributed until 14 days after entry of judgment except as otherwise allowed in Fed. R. Civ. P. 62.
69.1, Writs of Execution; Related Proceedings	Omitted sentence providing that a judgment creditor may obtain a writ of execution 10 days after judgment has entered.

## SUMMARY OF LOCAL RULE CHANGES - DEC. 1, 2009

### CIVIL

RULE	CHANGE
77.4(c)(2) & (3), Bankruptcy	*Amended subsection (c)(2) to vacate provision requiring clerk's office to set briefing deadlines in bankruptcy appeal (briefing deadlines established in BR 8009). *Modified subsection (c)(3) to prohibit dismissal as mandatory sole sanction for failure to comply with briefing deadline on appeal; permits sanctions, which may include dismissal.
83.1(e), Bar of District Court	Requires active membership in good standing of a bar as a precondition to continued membership in the district's bar.
83.2(a), Practice by Persons Not Members of the Bar of This Court	Amended subsection (a) to omit requirement that government attorneys be members of a federal district court bar; clarified government attorneys appearing in district are subject to disciplinary rules and jurisdiction of this judicial district.
83.6(c), Appearances,	Amended to provide that pro se party may not represent a trust.
83.11(c), Sealed Documents	Amended to provide that departure motions based on substantial assistance need not contain a proposed seal duration and, unless extended upon motion for good cause shown, shall remain sealed for five (5) years or until the completion of any term of imprisonment, whichever occurs later.
83.13, Exhibits	Amended to require clerk to maintain trial and hearing exhibits until the conclusion of the appeal period or resolution of any appeal, whichever occurs later. Give court the authority, however, to order parties maintain the exhibits during an appeal.

### CRIMINAL

RULE	CHANGE
1.1(b), Effective	Changed "amended" date to December 1, 2009.
1.1(d), Scope	Amended section to note that new LR 4.3(e) applies to criminal cases.
12.4(a) & (b), Disclosure Statement	Amended to make disclosure statement requirement applicable to limited liability company.

<b>CRIMINAL</b>	
<b>RULE</b>	<b>CHANGE</b>
16.1, Routine Discovery	Requires United States Probation and Pretrial Services produce at the initial appearance, to the extent in their possession, 2 copies of a defendant's criminal record report to the government, who in turn will provide 1 copy to counsel for the defendant.

<b>FORMS</b>	
<b>FORM</b>	<b>CHANGE</b>
Civil Form 1, Civil Case Management Deadlines	Amended various references to date deadlines resulting from time-computation amendments.
Civil Form 2, Sample Discovery Plan	Amended to add disclosure of claims against unnamed parties to address issues raised by <u>DeBenedetto v. CLD Consulting Engineers, Inc.</u> , 153 N.H. 793 (2006).
Civil Form 3, Sample Disclosure Statement	Amended both in form and substance to add disclosure field for limited liability companies.
Criminal Form 1, Criminal Case Deadlines	Amended various references to date deadlines resulting from time-computation amendments.
Criminal Form 2, Sample Disclosure Statement	Amended both in form and substance to add disclosure field for limited liability companies.
Criminal Form 3, Sample Organizational Victim Statement	Amended both in form and substance to add disclosure field for limited liability companies.